

EXHIBIT 7

<p>1 UNITED STATES DISTRICT COURT 2 DISTRICT OF MINNESOTA</p> <p>3 -----</p> <p>4 Fair Isaac Corporation,) a Delaware Corporation,) File No. 16-cv-1054(DTS)</p> <p>5 Plaintiff,)</p> <p>6 v.)</p> <p>7 Federal Insurance Company,) Courtroom 14W an Indiana corporation,) Minneapolis, Minnesota 8 and ACE American Insurance) Monday, February 27, 2023 Company, a Pennsylvania) 9:00 a.m. 9 Corporation,)</p> <p>10 Defendants.)</p> <p>11 -----</p> <p>12</p> <p>13</p> <p>14 BEFORE THE HONORABLE DAVID T. SCHULTZ UNITED STATES DISTRICT COURT MAGISTRATE JUDGE</p> <p>15</p> <p>16 (JURY TRIAL PROCEEDINGS - VOLUME VI)</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22 Proceedings recorded by mechanical stenography; transcript produced by computer.</p> <p>23 * * *</p> <p>24</p> <p>25</p>	<p>1 INDEX</p> <p>2 PAGE</p> <p>3 HENRY MIROLYUZ 971 Examination By Mr. Hinderaker</p> <p>4 CLAUDIO GHISLANZONI 1046 Cross-Examination By Mr. Hinderaker 5 Direct Examination By Ms. Godesky 1131 Recross-Examination By Mr. Hinderaker 1161 6 Redirect Examination By Ms. Godesky 1170 Recross-Examination By Mr. Hinderaker 1171</p> <p>7 JOHN TAYLOR 8 Examination By Mr. Hinderaker 1174</p> <p>9</p> <p>10 DEFENDANTS' EXHIBITS REC'D 11 517 1080 518 1082 12 526 1096 1002 1088 13 1005 1088 1007 1088 14 1008 1088</p> <p>15 PLAINTIFF'S EXHIBITS REC'D 16 39 1140</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>1 APPEARANCES:</p> <p>2 For Plaintiff: MERCHANT & GOULD P.C. BY: ALLEN W. HINDERAKER 3 HEATHER J. KLIEBENSTEIN PAIGE S. STRADLEY 4 MICHAEL A. ERBELE JOSEPH W. DUBIS 5 GABRIELLE L. KIEFER 150 South Fifth Street, #2200 6 Minneapolis, Minnesota 55402</p> <p>7 For Defendants: FREDRIKSON & BYRON BY: TERRENCE J. FLEMING 8 LEAH C. JANUS CHRISTOPHER D. PHAM 9 RYAN C. YOUNG PANHIA VANG 200 South Sixth Street, #4000 10 Minneapolis, Minnesota 55402</p> <p>11 O'MELVENY & MYERS LLP 12 BY: LEAH GODESKY ANTON METLITSKY 13 DARYN E. RUSH ROXANA GUIDERO 14 Times Square Tower 7 Times Square 15 New York, New York 10036</p> <p>16 Court Reporters: RENEE A. ROGGE, RMR-CRR KRISTINE MOUSSEAU, CRR-RPR 17 MARIA V. WEINBECK, RMR-FCRR PAULA RICHTER, RMR-CRR-CRC 18 United States District Courthouse 300 South Fourth Street, Box 1005 19 Minneapolis, Minnesota 55415</p> <p>20 * * *</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 9:00 A.M.</p> <p>2</p> <p>3 (In open court without the Jury present.)</p> <p>4 THE COURT: Please be seated. Good morning, 5 everyone.</p> <p>6 The record should reflect that we are in the 7 courtroom outside the presence of the jury. As I understand 8 it, there is a couple of issues, at least one, that we need 9 to take up now before we begin with testimony and that I 10 think is the interrogatory answer.</p> <p>11 Is that correct, Mr. Hinderaker?</p> <p>12 MR. HINDERAKER: Yes, Your Honor.</p> <p>13 THE COURT: Okay. And tell me what it is you plan 14 to put in and, if it's not obvious, why it's relevant.</p> <p>15 MR. HINDERAKER: This is a copy of it.</p> <p>16 THE COURT: Yeah, I've looked at it. Go ahead and 17 bring it up. Well, what are you proposing to do with this 18 exactly?</p> <p>19 MR. HINDERAKER: Well, mister -- well, I guess it 20 comes up in Mirollyuz's deposition because Mr. Mirollyuz is 21 the one who verified it.</p> <p>22 THE COURT: Right.</p> <p>23 MR. HINDERAKER: During the course of the 24 deposition we had an unsigned copy, and during the 25 deposition I asked Mr. Mirollyuz, and he did verify it in the</p>

1049**1051**

1 Advisor?

2 A. So at the beginning of 2016, in February, around

3 February time, we commenced the activity of analysis of all

4 the software products, and we formed the working group

5 called a cross divisional TDA, and I believe one of the

6 evidence that you have seen today carried that name.

7 Q. Yes. And I think we will look at that in a little

8 while.

9 A. Yes.

10 Q. And so now to go from this time in 2016, and is it

11 accurate also to say that it was in the beginning of 2018

12 that a new IT strategy for the whole enterprise was being

13 formulated?

14 A. Yes. It was at the beginning of that year, 2018, we

15 formulated a new IT strategy for the enterprise.

16 Q. And between the date of March 16th -- date of March 2016

17 and this time frame in 2018, you started to look at a new IT

18 strategy for the whole enterprise, Blaze Advisor continued

19 to be used for applications in connection with selling

20 insurance?

21 A. Blaze Advisor continued to be used in those applications

22 that had Blaze Advisor as a component that came from legacy

23 Chubb and one application legacy ACE.

24 Q. We'll talk about that one application in a bit, but that

25 one application from legacy ACE, you're speaking of a legacy

1 that for some -- for some, many of the applications to

2 actually accomplish the replacement of Blaze Advisor with

3 Drools, correct?

4 A. Yeah. We completed an entire migration from Blaze

5 Advisor to Drools in April 2020.

6 Q. That was going to be my next question, just to follow

7 up. The whole project of replacing Blaze Advisor was not

8 completed until April 2020. Agreed?

9 A. That's when the last application was replaced, the rules

10 were replaced.

11 Q. Understood. So from March 2016, '17, '18, '19 to

12 probably March/April of 2020, that was a time frame that was

13 consumed to fully replace Blaze Advisor and all the

14 applications that Chubb & Son had them in?

15 A. I would correct that statement in terms of, we commenced

16 the activities of migration away from Blaze Advisor at the

17 beginning of 2019, and we completed them in April 2020.

18 Q. I think we just said the same thing. All right. Fine.

19 When you were in the process of considering what

20 technology to use enterprise-wide instead of Blaze Advisor,

21 my understanding is that you looked at only two other

22 technologies, one of them was ODM. You agree? Yes?

23 A. Yes.

24 Q. And the other one was Drools, correct?

25 A. Yes.

1050**1052**

1 ACE license agreement with Blaze Advisor?

2 A. That is correct.

3 Q. And we can -- and with respect to that license

4 agreement, Blaze Advisor was not used by legacy ACE in

5 connection with selling insurance?

6 A. It was a set of rules called common rules.

7 Q. Right. A set of rules for a different purpose than

8 selling insurance?

9 A. Yes.

10 Q. And then as you progressed into 2018 with your IT

11 strategy for the whole enterprise, at a certain point, you

12 reached a decision to adapt an open source technology

13 strategy. Agreed?

14 A. As part of the or embedded in the IT strategy that we

15 formulated in 2018, one important decision we made at the

16 time is to expand, increase adaption of open source

17 software.

18 Q. So now this brings us from March 2016 through 2017

19 through 2018, and it becomes later in the beginning of 2019

20 that you made a decision to replace Blaze Advisor with

21 Drools, the open source solution?

22 A. That is correct statement.

23 Q. And then in approximately -- it's approximate, but once

24 you made the decision in the beginning of 2019 to replace

25 Blaze Advisor with Drools, it took about nine months after

1 Q. And ODM is a product from IBM?

2 A. Yes.

3 Q. And Drools is an open source technology, correct?

4 A. Yes.

5 Q. Meaning anybody can use it, but if you want maintenance

6 service, you get that, you pay a fee for maintenance service

7 from a provider?

8 A. That is correct.

9 Q. All right. And if we haven't already said so, Drools

10 is, Drools is open source.

11 A. Correct. Drools is open source.

12 Q. All right. All right. Maybe we said that. So now I

13 would like to turn to that time frame before Blaze Advisor

14 was replaced, and in your binder is a document that you have

15 a tab for 517. Could you put that in front of you, please?

16 A. 517, did you say?

17 Q. Yes.

18 A. Found it.

19 MS. GODESKY: Your Honor, is this published to the

20 jury?

21 THE COURT: Not now.

22 MS. GODESKY: Thank you.

23 MR. HINDERAKER: Your Honor, this exhibit and the

24 other one are in the same category. We will do them one at

25 a time.

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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Fair Isaac Corporation, a Delaware Corporation,)	File No. 16-cv-1054(DTS)
Plaintiff,)	
v.)	
Federal Insurance Company, an Indiana corporation, and ACE American Insurance Company, a Pennsylvania Corporation,)	Courtroom 14W Minneapolis, Minnesota Tuesday, February 28, 2023 8:50 a.m.
Defendants.)	

BEFORE THE HONORABLE DAVID T. SCHULTZ
UNITED STATES DISTRICT COURT MAGISTRATE JUDGE

(JURY TRIAL PROCEEDINGS - VOLUME VII)

Proceedings recorded by mechanical stenography; transcript
produced by computer.

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PLAINTIFF'S REC'D

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February 28, 2023

8:50 A.M.

(In open court without the Jury present.)

THE COURT: Good morning. Please be seated.

All right. Good morning, everyone. We're on the

record outside the presence of the jury. I understand the

parties have an issue with respect to some of the

interrogatory answers that are intended to come in -- into

evidence today.

So, Ms. Kliebenstein, or whomever on that side,

come on up.

MS. KLIEBENSTEIN: Thank you. Good morning, Your

Honor.

We have, we have three -- two and a half issues,

if you will. So one of them is the interrogatories, but I

think I'll start with something else first. The defendants

have objected to our inclusion in Mr. Zoltowski's

demonstrative of revenues associated with the Chubb

Insurance Company Canada. And as we -- they say that

it's -- it was decided on summary judgment, that it's not in

the case anymore. But as we heard from Mr. Pandey and

Mr. Mirollyuz, that application -- the application running in

that entity in Canada is running out of Raleigh, North

Carolina, and we have outlined the case for infringement in

1230**1232**

1 Q. Okay. All right. Let's see if your understanding is
 2 similar to mine. We've got some whereas clauses, and then
 3 "So now, therefore, the parties agree as follows: The
 4 following entities shall be added to the agreement as
 5 service recipients of ACE American," and then it lists a
 6 number of entities.
 7 Do you see that? And all of the entities that it
 8 lists are wholly-owned subsidiaries of Federal Insurance,
 9 correct?
 10 A. At what time period?
 11 Q. Well, before the merger and after the merger.
 12 A. That is, I believe, incorrect.
 13 Q. And the amendment, this amendment number one, as we
 14 said, is effective January 1st, 2008. So do you have an
 15 understanding of how this amendment number one affects the
 16 service agreements that we've looked at between Chubb & Son,
 17 a Division of Federal, or between Federal and these various
 18 entities -- and all of these entities?
 19 A. I'm not sure it would have any impact.
 20 Q. Okay. And why do you say that?
 21 A. The agreements are still -- the other agreements are
 22 still in place.
 23 Q. We just looked at a number of service management
 24 agreements between Federal or Chubb & Son, a Division of
 25 Federal.

1 A. To the best of my knowledge.
 2 Q. Exhibit 33 is a blowup of another document that was
 3 produced to us in the litigation, Federal 004420_001. You
 4 can look at the original if you want, but I think the bigger
 5 blowup is easier.
 6 So we agree we're looking at a document where, in
 7 the key at the right-hand bottom, it says, "As of December
 8 31, 2008." With me so far?
 9 A. Yes.
 10 Q. Agreed? Okay. And then I would like you to confirm
 11 that to the best of your knowledge as of December 31, 2008,
 12 this exhibit is giving us the organizational structure of
 13 Federal Insurance Company?
 14 A. To the best of my knowledge, that's what the document
 15 says.
 16 Q. Okay. And so for context later on, can we agree that as
 17 of the end of December 2008, Chubb Insurance Company of
 18 Europe, Chubb Insurance Company of Canada and Chubb
 19 Insurance Company of Australia Limited are all wholly-owned
 20 subsidiaries of Federal?
 21 A. That's what the chart indicates, yes.
 22 Q. Mr. Taylor, Exhibit Number 34 is a document produced to
 23 FICO in the context of litigation as Federal 000060_001 and
 24 2. And take the time that you would like. I will represent
 25 that it is an exhibit from -- a year-end statement of the

1231**1233**

1 A. Mm-hmm (Yes).
 2 Q. You just said that all of those managements service
 3 agreements, to your knowledge, still exist?
 4 A. Mm-hmm (Yes).
 5 Q. And my question is whether you understand that, and I'm
 6 not saying -- whether you understand one way or another that
 7 pursuant to amendment number one to this service agreement
 8 32, all of the services that Chubb & Son, a Division of
 9 Federal provided to those various entities is now being --
 10 is now being met by ACE American Insurance Company.
 11 Do you understand that question?
 12 A. I understand that -- I understand that question. I'm
 13 not -- at the exact date, now Federal no longer has
 14 employees. Employees were moved to ACE American at, I
 15 believe -- I believe it was 1/1/17.
 16 Q. ACE American Insurance provided listed services to
 17 Federal, and by way of doing that, meets Federal's
 18 obligations to the various entities under Federal or Chubb &
 19 Son, a Division of Federal's, management services agreement?
 20 A. ACE American -- to the best of my knowledge, yes, I
 21 would agree with that. ACE American provides services to
 22 Federal.
 23 Q. And as of January 1, 2017, did all of the employees of
 24 Federal or Chubb & Son, a Division of Federal, become
 25 employees of ACE American Insurance Company?

1 Chubb Corporation December 31, 2013. And I would like you
 2 to confirm that it accurately identifies those subsidiaries,
 3 the wholly-owned subsidiaries of Federal as of its date?
 4 A. Yes, it appears to.
 5 Q. Mr. Taylor, Exhibit 35 is a very similar agreement, only
 6 for the time period December 31, 2014. And to the best of
 7 your knowledge, does this accurately show the wholly-owned
 8 subsidiaries of Federal Insurance Company as of this time
 9 frame?
 10 A. Yes, it appears to.
 11 Q. Do we agree that Exhibit 36 is a 10-K submission to the
 12 United States Securities and Exchange Commission for the
 13 period ending December 31, 2016, on behalf Chubb Limited?
 14 A. Correct. It appears that.
 15 Q. Exhibit 37, you will see from the first page, it says it
 16 is a sub document, Exhibit 21.1, and I'll represent that it
 17 is from the December 31, 2016 10-K that we just identified
 18 as Exhibit 36. If you would like to confirm, feel free. If
 19 you are willing to accept my representation, we will move
 20 on.
 21 A. I will accept your representation.
 22 Q. And so then if we go to the Bates numbered page 6, do we
 23 agree that this states the wholly-owned subsidiaries of
 24 Federal Insurance Company as of year end 2016?
 25 A. It appears to, yes.